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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,663	08/19/2003	Shun-Min Chen	624-031636	6429

28289 7590 04/21/2005

THE WEBB LAW FIRM, P.C.
700 KOPPERS BUILDING
436 SEVENTH AVENUE
PITTSBURGH, PA 15219

EXAMINER

FISCHMANN, BRYAN R

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/644,663

Applicant(s)

CHEN, SHUN-MIN

Examiner

Bryan Fischmann

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Specification

1. The abstract of the disclosure is objected to because of the following:

Note: The abstract is considered replete with instances of objectionable wording.

Therefore, the Examiner cannot guarantee the following is a comprehensive listing of all objectionable matter. Applicant is advised to review the abstract for objectionable wording.

A) The terms “anchored coupler”, “anchored region”, “anchoring coupler”, “locking unit”, “linking lever”, “locking unit” and “linkage” recited in the abstract are objected to for reasons set forth below in this Office Action.

2. The specification is objected to because of the following:

Note: The specification is considered replete with instances of objectionable wording. Therefore, the Examiner cannot guarantee the following is a comprehensive listing of all objectionable matter. Applicant is advised to review the specification for objectionable wording.

A) The following recited phrases are unclear, awkwardly worded, and/or grammatically incorrect:

1) The use of the same term for multiple reference numbers is objected to, as the use of the same term for multiple reference numbers leaves unclear in the claims which reference number corresponds to the term, when the term is recited in the claims. The following instances of the use of the same term for multiple reference numbers was noted:

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a) "anchored coupler 81, 621 and 37" recited on line 8 of page 5.

Perhaps it would be more clear if the above phrase were modified to read " first, second and third anchored couplers 81, 621 and 37, respectively", or similar.

b) "anchoring coupler 71, 6521 and 33" recited on lines 8 and 9 of page 5.

c) "linking lever 62, 6511, 32" recited on line 9 of page 5.

d) "linkage 713, 655, 38" recited on line 9 of page 5.

e) Line 3 of page 6 recites "elongated slot 833". Line 15 of page 9 recites "elongated slot 321".

f) Lines 7 and 8 of page 7 recites "biasing member 85". Line 5 of page 10 recites "biasing member 35".

g) Line 24 of page 5 recites "plug 83". Line 25 of page 8 recites "plug 681" and Line 26 of page 9 recites "plug 331".

B) The following inconsistencies in nomenclature were noted:

1) Line 15 of page 5, lines 1, 22 and 23 of page 6 and lines 13, 14 and 16 of page 7 recites "concavity 811". Line 16 of page 5 recites "socket 811".

To avoid confusion to the reader, and to facilitate identifying components by nomenclature in the claims, it is requested Applicant use consistent nomenclature for the same reference number throughout the specification.

C) It is unclear why Applicant recites "third axis (X)" on line 13 of page 6, when there is no reference character corresponding to a "first or second axis".

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign not mentioned in the description:
835. Correction is required.

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the first and second axes as recited in claim 1 must be shown or the features canceled from the claim. No new matter should be entered.

Note that while no reference character is associated with the first and second axes, the "third axis" recited in claim 1 is associated with reference character "X".

Claim Objections

5. Claims 1-8 objected to because of the following:

Note: The claims are considered to be replete with objectionable matter. Therefore, a comprehensive listing of all objectionable matter cannot be guaranteed. Applicant is advised to review all claims for unclear matter.

A) While perhaps not strictly objectionable, the recitation of "a distal segment extending from said proximate segment along one of the said second axis and the radial line" on the last two lines of page 1 of claim 1 is considered somewhat confusing, as since, as best understood, the distal segment "extends" from either the second axis or the radial line, but not both. Therefore, it is considered unclear why Applicant is claiming a "choice" of the second axis and radial line in the above recitation.

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See also a similar recitation on lines 6 and 7 of page 2 of claim 1.

B) The recitation of both socket, see for example line 1 of page 2 of claims 1 and 2, and “concavity”, see for example the last line of page 1 of claim 2, the penultimate line of claim 3 and the third and fourth lines of claim 5 is objected to, as it is believed that both terms refer to reference number 811.

C) The recitation of “so as to help bracing up” in the fourth line of claim 6 is objected to as being awkward.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant regards as his invention.

Note: The claims are considered to be replete with unclear matter. Therefore, a comprehensive listing of all unclear matter cannot be guaranteed. Applicant is advised to review all claims for unclear matter.

A) The use the following terms in the claims are considered unclear, as the following terms are associated with multiple reference numbers in the specification, leaving clear what specific structure is being claim by use of a term associated with multiple reference numbers. The following instances of the use of the same term for multiple reference numbers in the claims was noted:

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1) The term “anchored coupler” is associated with reference numbers “81, 621 and 37” in the specification and drawings.

Also note that the claim 1 recitation “an anchored coupler which extends along a first axis, and which has an anchored region extending along one of a second axis that is parallel to and that is offset from the first axis, and a radial line relative to the first axis” would most closely appear to correspond to reference number 33, as Figure 1 shows reference number 33 has first and second axes that are parallel and offset. However, note that the specification defines reference number 33 as “anchoring coupler” and not “anchored coupler” as recited above.

2) The term “anchoring coupler “ is associated with reference numbers “71, 6521 and 33” in the specification and drawings.

3) The term “linking lever” is associated with reference numbers “62, 6511, 32” in the specification and drawings.

4) The term “linkage” is associated with reference numbers “713, 655, 38” in the specification.

5) The term “elongated slot” is associated with reference numbers “321 and 833” in the specification and drawings.

6) The term “biasing member” is associated with reference numbers “35 and 85” in the specification and drawings

7) The term “plug” is associated with reference numbers “83, 331 and 681” in the specification and drawings.

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B) The following terms were recited in the claims but do not appear to have been associated with a reference number, such that it is not clear from the drawing figures what structure is being referred to by the terms. Therefore, it is considered unclear what structure is being claimed by the following terms.

Note that Section 608.01 (o) and 2173.05(a) of the MPEP requires that nomenclature used in the claims be apparent from the specification, unless it is apparent from the prior art.

Note that Section 608.01(g) of the MPEP also recites "The description is a dictionary for the claims and should provide clear antecedent basis for all terms used in the claims".

The following terms are considered unclear as not being associated with a reference number:

- 1) The recitation of "anchored region" on line 21 of claim 1.
- 2) The recitation of "locking unit" on the first line of page 2 of claim 1.
- 3) The recitation of "channel" on lines 9 and 12 of page 2 of claim 2.

C) The recitation of "first and second axes" in claim 1 and some dependent claims is objected to, as Applicant has not made clear what axes on the stroller are being referred to. Note that the first and second axes are associated with terms "anchored coupler" and "anchoring coupler" which are each then associated with multiple reference numbers as noted above. Note that conversely, Applicant has associated the term "third axis" recited in claim 1 with reference character "X" which can be related to an "axis" in the drawing figures.

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See also the recitation of "radial line" in claim 1, which is also associated with the term "anchored coupler".

D) Claim 6 recites the limitation "said rear frame portion". There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

8. Claim 1 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

9. Claims 2-9 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yang, Sweeney, et al, Hartenstine, et al, Bretschger, et al, Gondobintoro, Cheng, Lin, Wang – teach strollers

11. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Bryan Fischmann whose telephone number is (571) 272-6694. The examiner can normally be reached on Monday through Friday from 9:00 to 5:30.

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If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis, can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 4-18-5
BRYAN FISCHMANN
PRIMARY EXAMINER